

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

**LAWRENCE LANDRUM,**

**Petitioner,**

**-vs-**

**CARL S. ANDERSON, Warden,**

**Respondent.**

**Case No. 1:96-cv-641**

**District Judge Thomas M. Rose**

**Chief Magistrate Judge Michael R. Merz**

---

**ENTRY AND ORDER OVERRULING LANDRUM'S OBJECTIONS (Doc. #286) TO THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS (Doc. # 277) REGARDING LANDRUM'S "COFFENBERGER" CLAIM; OVERRULING LANDRUM'S OBJECTIONS (Doc. #292) TO THE MAGISTRATE JUDGE'S SUPPLEMENTAL REPORT AND RECOMMENDATIONS (Doc. #290); OVERRULING THE WARDEN'S OBJECTIONS (Doc. #291) TO THE MAGISTRATE JUDGE'S SUPPLEMENTAL REPORT AND RECOMMENDATIONS (Doc. #290); ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS AND SUPPLEMENTAL REPORT AND RECOMMENDATIONS IN THEIR ENTIRETY; DENYING RELIEF ON LANDRUM'S "COFFENBERGER" CLAIM AND GRANTING A CERTIFICATE OF APPEALABILITY OF THIS ENTRY AND ORDER**

---

On September 26, 2013, Magistrate Judge Michael R. Merz issued a Report and Recommendations recommending this Court, based upon the "law of the case" doctrine, deny relief on what has been termed Petitioner Lawrence Landrum's ("Landrum's") Coffenberger claim and issue a certificate of appealability on that claim. (Doc. #277.) Landrum objected (doc. #286), this Court recommitted the matter to Magistrate Merz (doc. #288) and the Warden later responded to Landrum's Objections. (doc. #289).

On April 18, 2014, Magistrate Merz issued a Supplemental Report and Recommendations (doc. #290) making essentially the same recommendation as he did in the

original Report and Recommendations regarding Landrum's Coffenberger claim. Both Landrum and the Warden objected to the Supplemental Report and Recommendations. (Docs. #292 and #291.) Landrum responded to the Warden's objections (doc. #293), and the time has run and the Warden has not responded to Landrum's Objections. This matter is, therefore, ripe for decision.

As required by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the District Judge has made a de novo review of the record in this case. Upon said review, the Court finds that Landrum's Objections (doc. #286) to the Magistrate Judge's Report and Recommendations are not well taken and they are hereby OVERRULED. Further, Landrum's Objections to the Supplemental Report and Recommendations (doc. #292) and the Warden's Objections to the Supplemental Report and Recommendations (doc. #291) are not well taken and they, too, are OVERRULED. Accordingly, the Chief Magistrate Judge's Report and Recommendations and Supplemental Report and Recommendations are ADOPTED in their entirety.

Based upon the "law of the case" doctrine, relief on Landrum's Coffenberger claim is denied. Further, a Certificate of Appealability of this judgment on Landrum's Coffenberger claim is granted.

**DONE and ORDERED** in Dayton, Ohio, this Twenty-Seventh Day of May, 2014.

**s/Thomas M. Rose**

---

THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record